
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that reliable student
2 transportation is a critical component of ensuring equitable
3 access to education for all Hawaii students. In recent years,
4 disruptions in school bus services, including significant
5 cancellations before the start of the school year, have severely
6 impacted families and communities, leaving students stranded and
7 unable to attend school consistently. Notably, at the beginning
8 of the 2024-2025 school year, the department of education
9 suspended one hundred forty-seven bus routes across central
10 Oahu, upcountry Maui, and east Hawaii island, affecting nearly
11 3,730 students who signed up for bus transportation.

12 The legislature further finds that while the department of
13 education includes performance metrics, penalties, and some
14 contingency planning in its contracts with student
15 transportation providers, these provisions are largely reactive
16 and fail to address systemic issues. For example, current
17 contracts impose penalties for non-compliance and require



1 contractors to report missed or delayed routes; however, these
2 measures do not adequately prevent disruptions or ensure that
3 contractors are prepared to meet their obligations.

4 The legislature recognizes that designating student
5 transportation as a critical service is essential to
6 prioritizing its management and oversight. Proactive measures,
7 including robust contingency planning, stricter accountability
8 mechanisms, and clear performance standards, are necessary to
9 prevent future cancellations, ensure consistent service, and
10 restore public trust in the State's school transportation
11 system.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Designate student transportation as critical
14 infrastructure and a critical service for Hawaii's
15 public education system;
- 16 (2) Require school bus contracts to include minimum
17 standards, performance metrics, and accountability
18 requirements to ensure the reliability and efficiency
19 of student transportation services; and



1 (3) Require school bus contracts to include proactive
2 planning and oversight mechanisms to prevent service
3 disruptions and enhance contractor accountability.

4 SECTION 2. Section 302A-406, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§302A-406 Transportation of school children.** (a) The
7 department ~~[may]~~ shall provide suitable transportation to and
8 from school and for educational field trips for all children in
9 grades kindergarten to twelve and in special education classes.
10 The department shall adopt policies, procedures, and programs as
11 it deems necessary to provide suitable transportation.

12 (b) Student transportation shall be designated as critical
13 infrastructure and a critical service of the public education
14 system.

15 ~~[(b)]~~ (c) The department shall adopt rules under chapter
16 91 governing the supervision and administration of the
17 transportation of school children under this section."

18 SECTION 3. Section 302A-407, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Any school bus contract between the State and the
21 contractor shall include [a]:



- (1) A provision requiring the contractor to equip the contractor's vehicles with the signs and visual signals described in section 291C-95(d) and (g) [-];
- (2) [The contract shall also include other] Other provisions as may be deemed necessary by the State for the safety of school bus passengers and [~~shall include~~] provisions requiring compliance with the rules and standards described in section 286-181[-];
- (3) A provision requiring the contractor to submit a detailed annual contingency plan to address potential service disruptions, including anticipated driver shortages, fleet capacity issues, and other operational risks;
- (4) Performance metrics, including metrics assessing driver availability and fleet capacity, to be reviewed and certified by the department no later than thirty days prior to the start of the school year;
- (5) A provision establishing penalties for noncompliance, including withholding payments and termination of the contract for repeated violations;



1 (6) Emergency protocols for timely communication with
2 affected families in the event of service
3 interruptions, which shall include:

4 (A) A requirement for contactors to notify the
5 department no later than thirty days before the
6 start of the school year of any anticipated
7 driver shortages, fleet capacity issues, or
8 potential service disruptions;

9 (B) A requirement for contractors to provide weekly
10 updates during the thirty days prior to the start
11 of the school year, detailing the progress in
12 addressing any identified service risks;

13 (C) A mandate for the department to communicate
14 service changes to families within five business
15 days of receiving notification from the
16 contractor; and

17 (D) Protocols for real-time updates to families on
18 unexpected service interruptions during the
19 school year, with clear guidance on how families
20 can access alternative transportation options;
21 and



1 (7) Requirements for annual audits and reports on
2 contractor performance and service reliability, which
3 shall be submitted to the legislature no later than
4 twenty days prior to the convening of each regular
5 session."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:

Trish LaChiusa

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H.B. NO. 861

Report Title:

School Bus Contracts; Student Transportation; Service
Disruptions

Description:

Designates student transportation as critical infrastructure and a critical service for Hawaii's public education system. Requires all school bus contracts between the State and the contractor to include certain standards, performance metrics, and accountability requirements to prevent service disruptions.

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